

TITLE 54
PROFESSIONS, VOCATIONS, AND BUSINESSES

CHAPTER 40
MESSAGE THERAPISTS

SECTION 1. That Section 54-4002, Idaho Code, be, and the same is hereby amended to read as follows:

54-4002. DEFINITIONS. As used in this chapter, the following terms have the following meanings:

(1) "Advertise" means, but is not limited to, the issuing or causing to be distributed of any card, sign, direct mail piece or other device or causing or permitting any sign or marking on or in any building or structure, or in any newspaper, magazine or directory, or announcement on radio or announcement or display on television, computer network or electronic or telephonic medium.

(2) "Board" means the Idaho state board of massage therapy created pursuant to section 54-4006, Idaho Code.

(3) "Compensation" means the payment, loan, advance, donation, contribution, deposit or gift of money or anything of value, except "compensation" shall not include a student tuition credit program where such program has been established by a massage therapy establishmentschool.

(4) "Massage therapy school" means a massage therapy educational program that is registered by the state board of education in accordance with chapter 24, title 33, Idaho Code, or comparable authority in another state, and whose curriculum standards are reviewed by the Idaho state board of massage therapy and approved pursuant to rule.

(5) "Massage therapist" means a person who is licensed under this chapter and who engages in the practice of massage therapy.

(6) "Massage therapy" means the care and services provided by a massage therapist.

(7) "Practice of massage therapy" means the application of a system of structured touch, pressure, movement and holding of the soft tissues of the human body. The application may include:

(a) Pressure, friction, stroking, rocking, kneading, percussion, or passive or active stretching within the normal anatomical range of movement;

(b) Complementary methods, including the external application of water, heat, cold, lubricants and other topical preparations; or

(c) The use of mechanical devices that mimic or enhance actions that may be done by the hands.

SECTION 2. That Section 54-4007, Idaho Code, be, and the same is hereby amended to read as follows:

54-4007. POWERS AND DUTIES OF THE BOARD. The board shall have the authority to:

(1) Determine the qualifications of persons applying for licensure pursuant to this chapter and to define, by rule, the appropriate scope of massage therapy in this state, provided however, that the scope of practice may not exceed that defined in section 54-4002(7), Idaho Code;

(2) Authorize, by written agreement, the bureau of occupational licenses as agent to act in its interest;

(3) Promulgate such rules as are necessary for the administration of this chapter, including standards of professional conduct;

(4) Conduct investigations and hold hearings and compel the attendance of witnesses and the production of papers at such investigations or hearings;

(5) Collect fees and other funds as prescribed by this chapter;

(6) Contract and pursue other matters lawful in this state relating to massage therapy;

(7) Provide such other services and perform such other functions as are necessary and desirable to fulfill its purposes;

(8) Establish requirements for renewal of license and approval of continuing education courses as set forth in section [67-2614](#), Idaho Code;

(9) Review and approve the curriculum of massage therapy educational programs that seek registration by the state board of education pursuant to chapter 24, title 33, Idaho Code.

(910) Establish rules for the approval of massage therapy entry-level educational standards but must remain consistent with curriculum requirements in this chapter, or rules promulgated pursuant thereto;

(101) Establish requirements for a student tuition credit program; and

(142) Establish requirements for a temporary license and provisional permit.

The registration of massage therapy schools shall remain with the state board of education in accordance with [chapter 24, title 33](#), Idaho Code.

(13) An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

SECTION 3. That Section 54-4009, Idaho Code, be, and the same is hereby amended to read as follows:

54-4009.REQUIREMENTS FOR ISSUANCE OF LICENSE. Upon application to the board and the payment of the required fees, an applicant may be licensed as a massage therapist if the applicant meets all the requirements of this chapter and provides documentation acceptable to the board that he or she:

(1) Has obtained a high school diploma or equivalent;

(2) Is eighteen (18) years of age or older;

(3) Is of good moral character;

(4) Has successfully completed a massage therapy educational program registered pursuant to [chapter 24, title 33](#), Idaho Code, or a comparable authority in another state that consists of the minimum of five hundred (500) in-class supervised hours of coursework and clinic work; and

(5) Has successfully passed a nationally recognized competency examination in massage therapy that is approved by the board. The passage of this exam may have occurred prior to the effective date of this chapter.